

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF:

GERDOM et al.

SERIAL NO.:

10/631,296

FILED:

July 31, 2003

FOR:

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DOCKET:

PRINZ H1799

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby attach U.S. Patent Office form PTO-1449, including copies of the references listed therein. Where available, English language counterparts and/or abstracts are being provided for Examiner's convenience. These references were cited in the Austrian Search Report dated September 23, 2002 of the underlying Austrian patent application. Enclosed is a copy of the Austrian Search Report. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits

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175 CANAL STREET MANCHESTER, NH 03101 TEL. 603.668.1400 FAX. 603.668.8567 a copy of a Search Report by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. It is noted that all of the references were cited under category "A", i.e. as being of background art only. However, no independent analysis of the references, the accuracy of the statement of foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the foreign examiner's comments submitted therewith.

The enclosed Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

Norman P. Soloway Attorney for Applicants Registration No. 24,315

CERTIFICATE OF MAILING

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Docket Number (Optional) **Application Number PRINZ H1799** 10/631,296 INFORMATION DISCLOSURE CITATION Applicant(s) GERDOM et al. (Use several sheets if necessary) Filing Date **Group Art Unit** July 31, 2003 U.S. PATENT DOCUMENTS *EXAMINER FILING DATE DOCUMENT NUMBER DATE NAME CLASS SUBCLASS INITIAL IF APPROPRIATE 6,543,940 4.8.03 CHU 385 53 438 5,879,173 3.9.99 POPLAWSKI et al. 138 5,757,998 5.26.98 THATCHER et al. 385 75 FOREIGN PATENT DOCUMENTS Translation REF DOCUMENT NUMBER DATE COUNTRY SUBCLASS CLASS YES NO DE 201 07 144 U1 4.25.01 GERMANY (w/abstract) H₀₂G 15/06 DE 44 28 126 A1 8.9.94 GERMANY (w/abstract) G02B 6/42 1.15.91 EP 0 442 608 A2 EP G02B 6/42 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant.

DATE CONSIDERED

EXAMINER